

DEPARTMENT OF ECOLOGY

May 21, 2003

TO: MTCA Science Advisory Board

FROM: Pete Kmet, Toxics Cleanup Program

Subject: MTCA Related Legislation in 2003 Session

There were no direct amendments to MTCA this past legislative Session. However, there were several generic bills passed on rule-making procedures and other topics that could indirectly affect MTCA implementation. Also, there were several bills passed that specifically mention MTCA or could affect remedial actions under MTCA. Here is a brief summary of the most relevant bills:

MTCA Tax Exemptions: Several bills that would have extended these exemptions beyond the June 30, 2003 sunset date did not pass.

HB 1634 AN ACT relating to the residential property seller disclosure statement.

Makes editorial changes to the language in RCW 64.06.020 requiring sellers of residential properties (4 units or less) to disclose information about contamination on their property.

SB 5586 AN ACT Relating to granting authority to address concerns with lead-based paint activities.

The Department of Community, Trade, and Economic Development (DCTED) is authorized to administer and enforce a state program for worker training and certification, and training program accreditation for lead-based paint activities. Any rules adopted by DCTED shall be consistent with... rules adopted pursuant to chapter 70.105D RCW, to ensure consistency in regulatory action.

SB 5787 AN ACT Relating to the use of a leaching test in state water quality certifications.

Allows the use of leaching tests adopted under MTCA to evaluate the suitability of fill material to be placed in waters of the state as part of a Water Quality Certification. This applies retroactively to the Sea Tac 3rd runway permit.

Ecology is directed to identify and assess the effectiveness of leaching tests for evaluating impacts of imported fill material, and to report on this and any methodology gaps to the Legislature by December 31, 2003.